

Marlene H. Dortch,
Office of the Secretary
Federal Communications Commission

In reference to : RM-10803 FCC LOCALISM TASK FORCE

Ms. Dortch,

Enclosed, please find my comments suggesting ways in which the FCC could increase localism in broadcasting.

Copies have been supplied electronically to:

Qualex International, via email to <mailto:gaulexint@aol.com>
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Respectfully,

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Comments on Increasing Localism in Broadcasting
Initial statement:

In 1993, in MM Docket 88-140, FCC 90-338, 8 FCC Rcd 5093 the commission limited the uses of FM translators to encourage more full service broadcasters. Since that time, full service FM broadcast stations have proliferated, but the number of independent and local voices has declined due to industry consolidation and changes in ownership rules.

MM Docket 88-140, FCC 90-338, 8 FCC Rcd 5093 also decried the need for a Low Power FM broadcast service, but the Commission has since revisited that issue in an affirmative way.

The current FM translator rules have outlived their usefulness, and should now be revisited with an eye toward increasing localism. The objectives achieved through the provisioning of the LPTV service would serve the commission well in their endeavor to increase localism.

Suggested goals:

1. Provide opportunities for FM service for locally-created and community-oriented programming in both rural locations and individual communities within larger urban areas
2. Presents a less expensive and flexible means of delivering programming tailored to the interests and self-expression of listeners
3. Create opportunities for entry into radio broadcasting
4. Permit fuller use of the broadcast spectrum
5. Impose minimal regulatory barriers to obtaining and operating LPFM stations

Proposals to encourage these goals:

1. Allow LPFM stations to own and operate translator stations. LPFM voices should be heard and judged by the widest available audience, not limited by the technical parameters of the 2nd and 3rd adjacent channel rules. It is duplicitous to allow nation-wide religious and non-commercial broadcasters to operate full power stations as unmanned satellite stations (which can then be translated to a wide area by "off the air" reception) while denying locally programmed LPFM stations the ability to broaden their audience.
2. Allow AM stations to operate through FM translators. AM stations are often limited in their nighttime audience because of technical issues. Low power and limited time AM stations are more often owned and operated locally. The inability of these stations to use FM translators discriminates against them socially and economically.
3. Allow FM stations to own or support "Other Area" translators. Rim-shot (peripherally located suburban stations) are limited in their ability to have their voices heard in both urban areas and underserved rural areas. "Fuller use of the broadcast spectrum" suggests that stations should be able to provide their programming to any area that is technically feasible. Television stations are permitted to own and program LPTV, TV Translators and satellite stations over wide areas, and are not limited by the service area of the primary station. Why should FM stations be so restricted?
4. Allow FM translator operators to originate LPFM programming. The large number of LPFM applicants that were unable to find a useable frequency could be partially accommodated by allowing them to lease programming time (in an LMA type scenario) on existing translator stations. One translator station could presumably accommodate several disparate voices in the community. Alternatively, existing translators could be converted to LPFM stations with their authorized parameters and with continued secondary status. These stations have been shown to create no interference.
5. Allow FM translators to receive their programming by alternative terrestrial means. Localism is not confined to rural areas and small towns. Even large cities need programming for diverse groups, high school and colleges, churches and religious groups, local governments, large and small businesses and individual citizens. By necessity, FM translators in urban areas are often co-located with high-powered 2nd and 3rd adjacent FM stations. This situation conflicts with the translator's ability to receive a quality signal from a suburban primary station. There is no logical need to limit the quality of the rebroadcast by demanding off-the-air reception in a high RF environment. It would be reasonable to allow translators to utilize alternative off-the-air receive sites within a limited distance of the translator transmitter (5-10 miles) to improve their ability to receive and rebroadcast suburban stations, but preclude the rebroadcast of stations from many hundreds of miles away.

References:

SEC. 7. [47 U.S.C. 157] NEW TECHNOLOGIES AND SERVICES.

(a) It shall be the policy of the United States to encourage the provision of new technologies and services to the public.

SEC. 303. [47 U.S.C. 303] GENERAL POWERS OF COMMISSION.

(g) Study new uses for radio, provide for experimental uses of frequencies, and generally encourage the larger and more effective use of radio in the public interest;

Conclusion:

The highly successful initiation of the LPTV service should serve as a model for a new LPFM service that provides opportunities for affordable commercial, and non-commercial broadcasting. More than 20 percent of LPTV stations are licensed to minority groups or individuals.

The limit on program origination and ownership of FM translator stations is at odds with the commission's stated goals of efficient use of the broadcast spectrum, and fair and equitable distribution of broadcast stations. The free speech rights of many potential groups and individuals are being unjustifiably limited because of restrictive and outdated FM translator rules that protect the status quo.

Respectfully submitted,

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